



CHILE REPORT
Follow-up on the Lima Agreement.
Citizen Corruption Observatory.



Country: Chile

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Acronyms used in the Document

CCO = Citizen Corruption Observatory

REDLAD: Latin American and Caribbean Network for Democracy

CFA = Citizen Forum of the Americas

PASCA = Civil Society Participation Project in the Summit of the Americas

CSO = Civil Society Organizations

OAS = Organization of American States

NGO = Non-Governmental Organization



Introduction

The main purpose of the project titled “Citizen Corruption Observatory (CCO) - Follow-up on the Lima Agreement is to strengthen the Citizen Forum of the Americas (CFA) by co-creating, together with the Latin American and Caribbean Network for Democracy (REDLAD, by its Spanish initials) and the Citizen Forum of the Americas (CFA), an observatory that provides technical support to the implementation of the Project titled: “Civil Society Participation in the Summit of the Americas (PASCA, by its Spanish initials). Within the framework of the activities developed by the CCO, the progress of the Lima Agreement was monitored using a methodology that took into account both policy and practical developments, and which was based on the participatory discussion of different civil society organizations in each of the 19 countries participating in this process.

In this context, the CCO is made up of a coalition of civil society organizations and social actors of the continent, created to follow up on compliance with the agreements adopted by the governments of the hemisphere at the VIII Summit of the Americas held in 2018 in Lima, Peru. The Lima Agreement, "Governance against Corruption", a document resulting from the Summit, provided an opportunity to endorse and ratify previous international commitments on anti-corruption issues.

In this regard, the objective of the country report is to present a summary of the results and findings of on the follow-up of the progress and/or compliance in Chile with the commitments made at the 2018 Summit, based on the follow-up methodology document for the Lima Agreement¹ and on the information review carried out by seven Chilean civil society organizations. All of the information collected during the follow-up is available on the CCO website².

The methodology for monitoring the Lima Agreement allows civil society to assess the progress and/or compliance with 19 commitments prioritized³ by the CCO for monitoring in each of the countries participating in this observatory. The follow-up is based on the review of developments at both the policy and practical levels made by national governments over the last two years in respect to commitments made in the fight against corruption

At the policy level, current regulations were reviewed, based on 75 guiding questions regarding constitutional, legislative and jurisprudential developments. The analysis of practice consists of the review of concrete measures taken by the government in response to the commitments made. For this purpose, 64 questions were constructed, which were answered through requests for information, interviews, reference to media reports, reports and research on the

¹ The methodology is available at: <https://occ-america.com/metodologia/>

² Available at: <https://occ-america.com/>

³ The 19 commitments were prioritized taking into account the possibility of making a comparative analysis in all of the OCC participating countries.





subject, among others. This information is the basis for evaluating each commitment in terms of effectiveness, efficiency and sustainability⁴.

In the particular case of Chile, a collaborative working group was implemented with different members of civil society, with the aim of promoting dialogue among participants in a coherent and critical manner to analyze Chile's progress on the Lima Agreement, seeking strategies for socialization and advocacy on the mandates of the summit in the public sphere. The members of the table who actively participated in the dialogue were: Michel Figueroa and Francisca González from Chile Transparente; Jaime Ibarra from Fundación Multitudes (CFA Focal Point); Valeria Lubbert and Gabriel Ortiz from Espacio Público; Paula Díaz and José Mora from Observatorio del Gasto Fiscal; Fabian Padilla and Isidora Osorio from Fast Check; Nicolas Panotto and Elisabet Aylwin from Otros Cruces; Daniel Oyarzun from Asociación Chilena de Voluntarios; Emilio Moya scholar from Universidad Católica de Temuco; Waleska Muñoz scholar from Universidad de Concepción; and, Maria Hueichaqueo from Academia de la Lengua y Cultura Mapuche.

Partner Organizations



Chile Transparente, the Chilean Chapter of Transparency International, has as its mission to promote transparency and probity in public and private institutions within the Chilean society. Since its foundation in 1998, it has been fighting corruption from an integral perspective, informing about its economic and social costs and raising awareness about the benefits of transparency. Our work seeks to make a substantial contribution to the fight against corruption and bad practices in Chile, promoting the creation of a culture of probity and transparency. This is done through projects aimed at positioning the values of transparency and probity, providing tools and practices to improve the standards of integrity and access to information for citizens.

The role played by Chile Transparente in the Citizen Corruption Observatory in Chile was of national coordination. In that sense, it collected all the information on regulatory and practice indicators and has also been in charge of following up and accompanying the process of searching for information on the practice indicators of the Civil Society Organizations that collaborate in this project.



Observatorio del Gasto Fiscal: The work performed by this organization is fundamentally based on the analysis of data available from publicly accessible sources, but which are often difficult to collect and process. They take the data, analyze their trends and behavioral patterns, and generate several

⁴ The methodological aspects of this assessment will be presented in more detail further on in the report.





user-friendly products that become transparent information so that different civil society actors and citizens in general can know how public resources are spent, what their level of efficiency is and their degree of transparency in accountability to society. In short, they transform data into information and knowledge to strengthen citizen monitoring and develop best practices that contribute to better public spending for people.

This actor in the Citizen Corruption Observatory in Chile has played the role of a Civil Society Organization. In that sense, it collected all information on the practice indicators and contributed to the assessment of the findings. In addition, the Observatorio de Gasto Fiscal is an active member of the CCO working group in Chile.



Espacio Público is an independent research center that seeks to contribute to building a more just, inclusive, transparent and democratic society, in order to achieve sustainable development that benefits everyone in both Chile and the continent. Its projects and research focus on improving the design and implementation of public policies, and develop them by promoting quality debate (convening different actors to dialogue), working with high methodological standards, involving citizens and influencing authorities and decision makers to set the direction and priorities of the public agenda.

The role played by this actor in the Citizen Corruption Observatory in Chile was that of a Civil Society Organization, in that sense, it collected all the information on the practice indicators and contributed to the assessment of the findings. In addition, Espacio Público is an active member of the CCO working group in Chile.



Asociación chilena de Voluntarios: This organization operates actively in regions and municipalities across the country, together with local and territorial leaders in the line of associativity and strengthens civil society and Citizen Participation mechanisms installed by Law 20.500 in Chile. Its local work is related to organizations and local governments, and through Leadership and Participation work it empowers leaders for their work and dialogue with these local governments, enhancing all open government aspects at the local level, fighting against political patronage between authorities and organizations with training, promoting networks and partnerships and penetrating anti-corruption elements that exist in their work.

The role played by this actor in the Citizen Corruption Observatory in Chile was that of a Civil Society Organization. In that sense, it collected all the information on the practice indicators and contributed to the assessment of the findings. In addition, the Asociación Chilena de Voluntarios is an active member of the CCO working group in Chile.

Otros Cruces: Civil society organization in Chile that seeks to promote the encounter of different people who want to achieve things that are not so different, facilitating interaction





between faith and reality, between religious communities and civil society organizations, between paths of spirituality and political actors so that this exchange of knowledge inspires actions in favor of dialogue, democracy and human rights.

The role played by this actor in the Citizen Corruption Observatory in Chile was that of a Civil Society Organization. In that context, it collected all information on the practice indicators and contributed to the assessment of the findings. Otros Cruces is also an active member of the CCO working group in Chile.

FAST CHECK CL

Fast Check is an independent Chilean channel focused on fast checking and investigative journalism. They check content on the Internet, speeches of people and representatives of public and private spheres on multiple platforms, in order to fight the different forms of "information disorder" present in society. In addition, they do investigative journalism to contribute to the purpose of a well-informed society, so that people can make the right decisions both for personal purposes and as citizens in the public and private spheres.

The role played by this actor in the Citizen Corruption Observatory in Chile was that of a Civil Society Organization. In that sense, it collected all the information on the practice indicators and contributed to the assessment of the findings. In addition, Fast Check is an active member of the CCO working group in Chile.

Emilio Moya, Professor at Universidad Católica de Temuco: Ph. in Latin American Studies from Universidad de Chile. M.A. in Sociology from Pontificia Universidad Católica de Chile and B.A. in Sociology from Universidad de Chile. His research interests are: Transparency, Corruption, Sociological Theory and Elites.

The role played by this actor in the Citizen Corruption Observatory in Chile was that of a Civil Society Organization. In that sense, it collected all the information on the practice indicators and contributed to the assessment of the findings. In addition, Professor Emilio Moya is an active member of the CCO working group in Chile.



Context of Chile

In 1988, Chile underwent a referendum which initiated a process of democratization after 17 years of civil-military dictatorship. This led to a process of building and strengthening democratic institutions in Chile.

In this process, political reforms were built in order to deepen the democratic system and update the institutional framework of the Chilean political system. Automatic voter registration and voluntary voting were regulated, mechanisms to strengthen political representation were implemented, such as the voting rules for Chileans living abroad and the constitutional autonomy of the Electoral Service, a defined public role for political parties was established, and a system of Government funding for politics was created. The above was complemented by greater transparency, control and supervision of election campaigns, and an effective system of sanctions for candidates and parties that fail to comply with the rules, including the possibility of dismissal from office in the event of non-compliance.

In this sense, democracy in Chile has been progressively consolidated in its formal aspects, such as conducting elections on a regular basis, but without incorporating relevant mechanisms for citizen participation. Citizens have few opportunities to influence the decisions of their representatives, which results in a series of unsatisfied demands (UNDP, 2014).

The numerous changes occurring in recent decades have reshaped social relations, characterized by a more diverse, heterogeneous society, with a variety of tools to raise their concerns and with more complex problems to solve (Subirats, 2015). Thus, putting a strain on the relationship in the triad: State, market and society; questioning the role that each one should play in the resolution of collective problems (UNDP, 2016), but, above all, questioning the capacity of the State to turn its own decisions into actions (CGR, 2020).

This added to Zygmunt Bauman's idea that social relations are based on individualism and have become temporary and unstable, lacking solid aspects, where everything is changeable and with an expiration date, in comparison with the fixed structures of the past. This keeps citizens constantly changing ideas, priorities and questioning the role of the Government, the market, and society.

The legitimacy of democracy in Chile has been falling steadily since 2012 and social unrest has increased (UNDP, 2019). Since the early 1990s and following the regulation of voluntary voting, election participation has steadily and systematically decreased, from 84.2% in the 1989 presidential elections to 46.6% in the 2017 presidential elections. This represents a decrease of 37.6% in less than 30 years. Even the 2020 referendum that opened the door to the constituent process, despite its exceptionality, marked a turnout of 50.9%.

Despite a series of alarm signals, such as the collapse of trust in institutions, a sustained negative assessment on the functioning of democracy, the crisis of representativeness and a growing citizen mobilization (UNDP, 2019), the political system was unable to prevent social



unrest from triggering a deep political crisis in 2019, in the so-called “social outburst”, which has been a reflection of the inability of democracy to refrain the conflict through institutions, demonstrating that *“we have gone from a social conflict that sought an answer in the democratic system, to a social conflict that understands that there is no possible answer without also transforming and modifying the democratic system itself. We had social conflict without response in the political sphere. Now we have social conflict as well as political conflict”* (Subirats, 2011). The values of Chilean society are no longer sufficient, a new political form has emerged, under which distrust of electoral democracy is organized, a system that, for the French political scientist Rosanvallon, can be called counter-democracy, which is made up of indirect powers disseminated in society, showing how the social contract is broken and citizens gain power, with counter-democracy.

In this context of political-social crisis and, as a response to the social demonstrations that endangered democratic governance, in November 2019, political parties with parliamentary representation promoted an agreement called “Agreement for Peace and the New Constitution” to find a way out of this crisis. This agreement put on the agenda a national referendum that opened the door to a process of constitutional reform, but with the decision of the citizens. In which, by means of universal voting, 155 Convention members would be elected to draft the text of a new constitution.

The election of members for the Constituent Assembly took place in a complex context, where there were information asymmetries, which once again revealed the government's lack of capacity. In addition, the elections were held in parallel with three other elections (Mayors, Regional Governors and Councilmen) and, for the first time, the rules of the game were different, including requirements for gender parity and a special ballot for indigenous population, among others.

Currently, the country has several tools to control probity and transparency in the development of public functioning. These include Law 20.285, which recognizes the right of individuals to access public information, regulating the existence of channels for active transparency and information requests. There are also higher standards in terms of tools for preventing conflicts of interest and promoting probity in the public service, such as Law 20.880 applied to public administration. In addition to the above, Law 20.730, which regulates lobbying and negotiations that represent private interests before the authorities, applies to the public administration.

Along with the COVID-19 pandemic, new challenges and difficulties have arisen in the national context, forcing the Government to undergo a process of accelerated digitization and, in turn, citizens to go through the same transformation process. Additionally, the economic behavior has been depressed, with symptoms of stagnation, volatility and high influence of the international market, aggravated by the sanitary measures authorities have had to take in order to face the dynamics of the pandemic infection.



Results in Chile

As a result of the VIII Summit of the Americas, a process in which the Citizen Forum of the Americas had an active participation, the countries of the region signed the Lima Agreement, entitled "Democratic Governance against Corruption" in which 57 commitments were made, in order for member states to implement concrete actions to build citizen's trust in institutions and reduce the negative impact of corruption on the effective enjoyment of human rights and sustainable development of the peoples of the American hemisphere.

For the follow-up, four criteria were taken into account to select commitments that could be representative for analyzing anti-corruption actions in the countries of the region, sustainable over time and have the potential to be institutionalized, could incorporate new approaches to anti-corruption actions, and include the perspective of vulnerable populations. As a result, 19 commitments were selected, classified into 5 specific topics:

- A. Reinforcement of Democratic Governance,
- B. Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression,
- C. Financing of Political Organizations and Election Campaigns,
- D. Prevention of Corruption in Public Works and Public Procurement and Contracting,
- E. International Legal Cooperation; the Fight against Bribery, International Corruption, Organized Crime and Money Laundering, and Asset Recovery.

These commitments were analyzed by identifying regulatory and practical developments which were rated on a scale⁵ of 0 to 3, taking into account the following follow-up criteria:

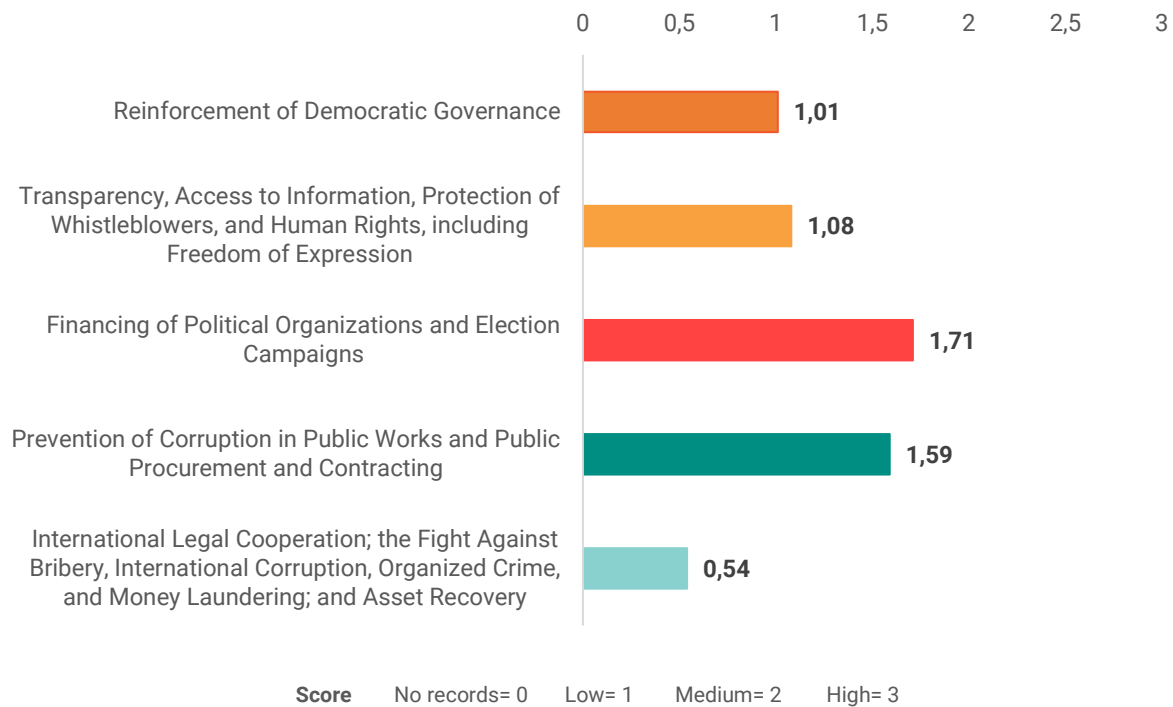
- **Effectiveness:** Establishes to what extent the actions developed by the government as a result of the Lima Agreement contribute to the fight against corruption in the country.
- **Relevance:** Establishes to what extent the actions developed by the government are timely, convenient and adequate according to the economic, institutional and/or social context of the country.
- **Sustainability:** Determines to what extent the actions carried out to fulfill the commitment will have continuity over time.

Graph 1 shows the general results obtained for Chile in the five areas in which the commitments are classified:

⁵ Rated on a scale of 0 to 3: 0= no records, 1=low, 2=medium, and 3=high



Graph 1⁶. Results per Lima Agreement Area.



Prepared by the author based on the information provided by the CSOs participating in the CCO platform

Chile has developed a legal framework with regulations aimed at strengthening the fight against corruption⁷, which promotes probity and transparency in public institutions. In particular, significant progress is being made in terms of regulatory reforms to the current transparency law, digital transformation of the Government, protection of whistleblowers and victims of corruption, among others. For the time being, these have been translated into bills under discussion in Congress. However, it is important to highlight that they represent a step forward in the strengthening of the national legal framework.

In Chile, the regulations that establish limits, control and transparency to the income and expenses of political parties and candidacies in the context of elections are particularly positive. In addition, the electronic platform for campaign funding accountability called *Sistema de Rendición de Cuenta General de Ingresos y Gastos Electorales* (System for General Accountability of Election Income and Expenses), made available by the Electoral Service for candidates and their Election Administrators and General Administrators, fulfills the purpose of having an expeditious process of account submission and review, allowing for the entry of data and documentation regarding the general account of election income and expenses.

In turn, public procurement and contracting processes is also noteworthy and the public procurement system shows significant progress in promoting the use of electronic means through the National Directorate of Public Procurement, with the “Agile Purchasing” initiative

⁶ The colors implemented in the graphs herein reflect the color coding given to each of the CCO central themes and do not correspond to a numerical scale.

⁷ The CCO has prepared the first assessment of regulatory indicators at the regional level and the document is available at: <https://occ-america.com/2021/07/29/primer-informe-del-observatorio-ciudadano-de-corrupcion-revela-avances-y-retos-normativos-para-la-lucha-anticorrupcion-en-la-region/>

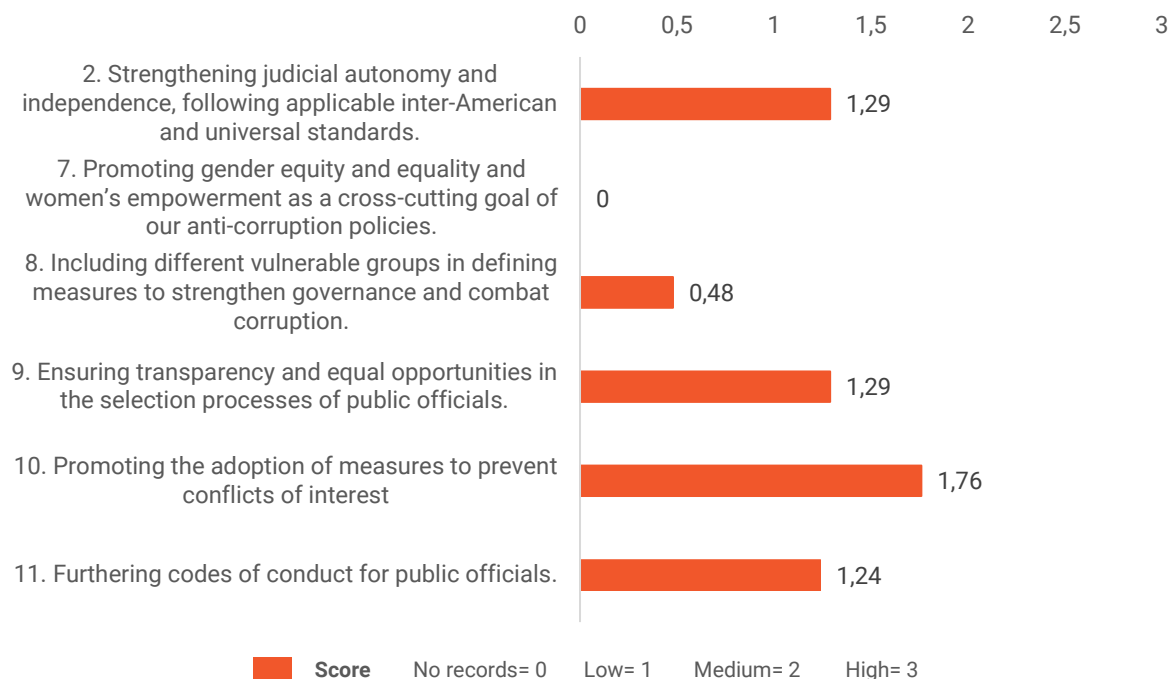
as part of the measures taken under the “Emergency Economic Plan” to fight the effects of COVID-19. However, anti-corruption clauses have not yet been included in Government contracts.

Additionally, there is a weak regulatory framework in terms of preventive seizure, asset recovery and international legal cooperation to promote the adoption or strengthening of measures that allow and facilitate preventive seizure, asset forfeiture and confiscation of assets resulting from corruption.

However, the integrity system in Chile is at the forefront in preventing conflicts of interest and in information disclosure, but it needs to move forward in regulating sensitive areas, such as the inclusion of vulnerable groups and the promotion of gender equality when defining anti-corruption measures and mechanisms to strengthen citizen participation in general.

1. Reinforcement of Democratic Governance

Graph 2. Results of Commitments Related to the Reinforcement of Democratic Governance



Prepared by the author based on the information provided by the CSOs participating in the CCO platform

The results for Chile in terms of the dimension of reinforcement of democratic governance show that, although there are efforts to strengthen democratic structures in the country, these actions took place prior to the signing of the Lima Agreement.

In this sense, the autonomy of the Judiciary is observed, but there has been no progress over the past two years to promote and/or enhance such independence. Likewise, although in Chile there is a policy that assigns public employment through open and public calls, in the last two



years there has been no significant progress with respect to Commitment 9. The most recent development is Law 20,955 of 2016 (without subsequent amendments) that “improves the public top management system and strengthens the national civil service management”, however, it does not cover all public employment in general.

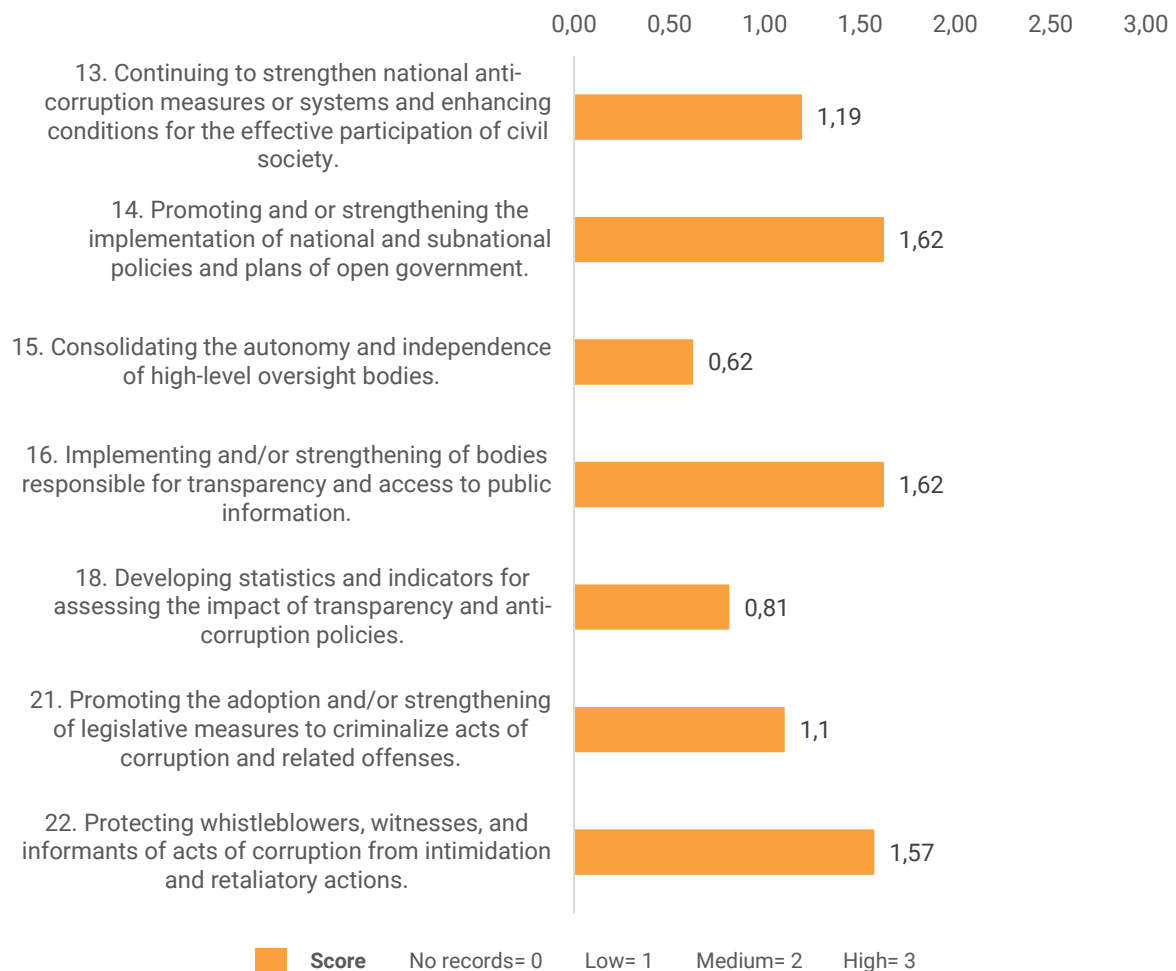
On the other hand, minority groups, such as vulnerable populations and women, have been significantly neglected in terms of their active participation in anti-corruption policies, since no major efforts have been made to encourage these groups to participate through different mechanisms, especially to promote gender equity and equality and empower women as a cross-cutting objective of our anti-corruption policies, a commitment that has been rated with zero by all organizations participating in this Project.

Likewise, greater progress has been noted in terms of regulation and prevention of conflicts of interest, with Commitment 10 being the best rated in the category, with a 1.76 score. In this regard, although the obligation to declare any conflicts of interest has existed since 2000 and the obligation to declare assets since 2006, and they were reformed in 2016, the amendments incorporated to the system of sworn declarations of assets and conflicts of interest in 2016 not only strengthen transparency, but also expand the number of officials and authorities required to make such declarations, increase the details of information to be declared, and extend the declaration to assets owned by the spouse and children who are under the declarant's guardianship. It even extends the obligation to declare to those individuals who are candidates to elective posts. In addition, the declarations of assets and conflicts of interests must be made using an electronic form which allows to have information available in a standardized digital form and to make it available for public knowledge immediately after the declaration is made.



2. Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression.

Graph 3. Results of Commitments related to Transparency, Access to Information, Protection of Whistleblowers and Human Rights, including Freedom of Expression.



Prepared by the author based on the information provided by the CSOs participating in the CCO platform

Access to public information and transparency were incorporated as guiding principles in the Chilean Constitution in 2005, which does not mean that access to public information is recognized as a fundamental right.

It is not until 2008 that Law 20.285 on access to public information addresses the type of information that should and may be disclosed, the bodies that are subject to the obligations, the regime of exceptions and mechanisms to protect the right of access to information. All acts and resolutions, their foundations, and supporting documents, as well as the procedures followed to implement them are considered public information, including all information prepared with public budget and information held by any Government agency. On the other hand, although the bill modifying "Law 20.285 on Access to Public Information", better known

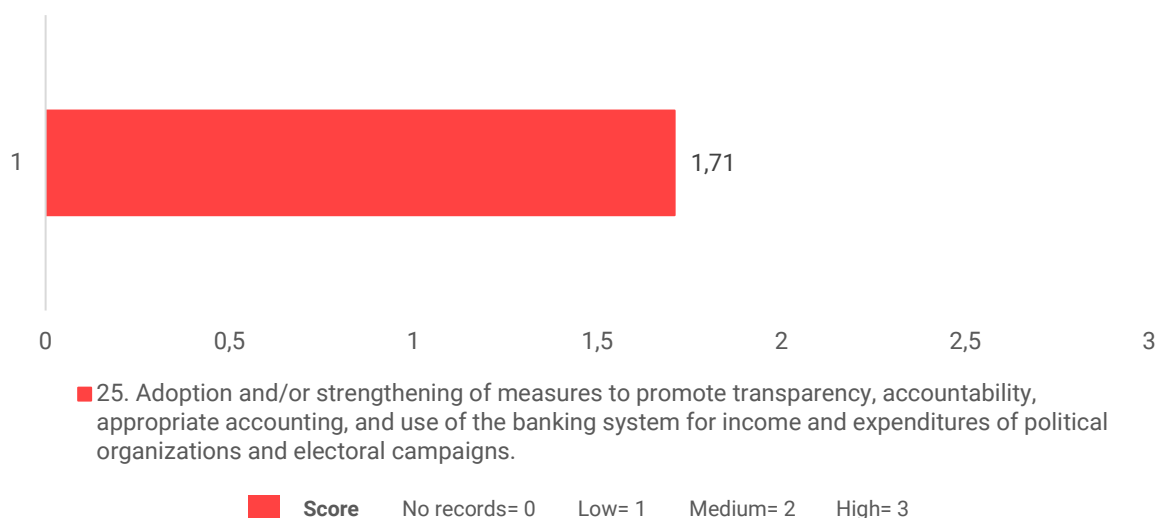
as “Transparency 2.0” (Bulletin 12100-07), which seeks to facilitate access to information and promote citizen participation, is being discussed, there has been no concrete regulatory progress in this area over the past two years.

Commitment 16, which seeks to strengthen bodies responsible for transparency and access to public information, together with Commitment 14 focused on strengthening the implementation of national and, where appropriate, sub-national policies and plans in the areas of: open government, digital government, open data, fiscal transparency, open budgeting, digital procurement systems, public contracting and public registry of state suppliers are the best rated in this category, both with a 1.62. It is important to highlight the latest progress in strengthening policies on digital government with the Digital Transformation Law that will come into force (2021) and in promoting measures driven by the “Gob Digital” website since 2019, which promotes the implementation of standards for web platforms, official communications, digitization, interoperability, electronic records, notices in the country’s institutions, thereby facilitating the access of people to data, and encouraging the participation of civil society.

On the other hand, protection of whistleblowers, witnesses and informants of acts of corruption against intimidation and retaliation was the worst rated area by the organizations, obtaining only 0.44, since no concrete progress has been achieved in promoting measures or regulations aimed at protecting whistleblowers of acts of corruption in Chile.

3. Financing of Political Organizations and Election Campaigns

Graph 4. Results of Commitments related to Financing of Political Organizations and Election Campaigns.



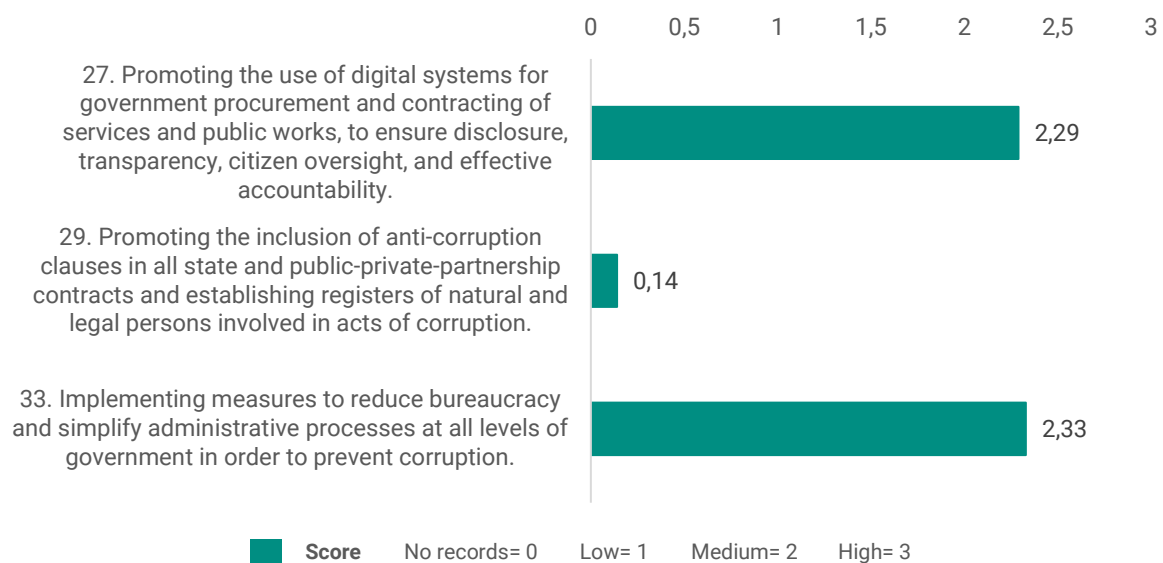
Prepared by the author based on the information provided by the CSOs participating in the CCO platform

Chile has promoted the adoption of measures to strengthen transparency and accountability in electoral campaigns. This way, all those competing for a seat must register all contributions received and expenses incurred in the context of a political campaign and, at the end of the electoral process, they must submit the information to the electoral authority, in this case to the Electoral Service, for review and subsequent approval, also including the obligation to make this information available to any person once it has been approved. Laws 20.900 (2016) and 20.915 (2016) reaffirm the public role of political parties, establishing a system of public financing to politics, prohibiting contributions from companies, decreasing the duration of campaign periods and the expenses that can be made in them and establishing transparency obligations for all political parties.

Regarding this aspect, the existence of a body in charge of verifying the licit origin of electoral campaign resources is still pending. On the other hand, no significant progress has been made over the past two years in this area.

4. Prevention of Corruption in Public Works and Public Procurement and Contracting

Graph 5. Results of commitments related to Prevention of Corruption in Public Works and Public Procurement and Contracting



Prepared by the author based on the information provided by the CSOs participating in the CCO platform

In Chile, Law 9.886 sets the general bases for procuring goods and services for State Administration bodies. Despite the differences between the procurement systems, depending on the contract object, namely the acquisition of a good or service, the rule that prevails is that of competition and transparency of the process, currently guaranteed through the use of a website (www.mercadopublico.cl) which, despite of being an instrument to regulate the procurement of goods and services, is now being used to announce the contracting of public works. However, the discretionary power of public agencies in defining the bases or conditions

of the contracting process may generate the conditions to privilege, exclude or direct the process to certain bidders. In this sense, advances in the use of electronic systems for government procurement and contracting have been effective in strengthening the transparency and accountability of the process.

In this regard, Commitment 27, which seeks to promote the use of digital systems for government procurement and contracting of services and public works to ensure transparency, disclosure, citizen oversight and effective accountability, and Commitment 33, which seeks to implement measures to reduce bureaucracy and simplify procedures at all levels of government to prevent corruption, are the highest rated, both with a 2.33, being the highest rated of the 19 commitments analyzed. Significant progress has been made in promoting the use of electronic systems by the National Directorate of Public Procurement, highlighting the “Agile Purchasing” initiative that has facilitated procurement processes in the midst of the COVID-19 pandemic. Additionally, Law 21.880 on the “Digital Transformation of the Government” (which will come into force in June 2021) aims to digitalize government procedures and is expected to simplify them.

5. International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime and Money Laundering; and Asset Recovery.

Graph 6. Results of Commitments related to International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery



Prepared by the author based on the information provided by the CSOs participating in the CCO platform

The most decisive efforts to establish concrete mechanisms to promote international legal cooperation, combat bribery and transnational corruption and asset recovery began in 2006 with Chile's ratification of the United Nations Convention against Corruption and its joining the Organization for Economic Cooperation and Development (OECD). In this sense, in the past two years there has been no progress in developing measures that favor information exchange cooperation to prevent, investigate and prosecute corruption-related crimes.

On the other hand, the seizure of assets related to corruption does not have its own regime. Therefore, there are provisions in the Code of Criminal Procedures, on the one hand, and seizure provisions based on crimes in relation to Law 20.393 regarding criminal liability of corporations and Law 21.121, which amends the Code of Criminal Procedures and other legal rules for corruption prevention, detection and prosecution. Thus, in terms of asset recovery, there are a number of public agencies with responsibilities and competencies for this purpose, although not always in a direct manner, such as the State Defense Council, the Comptroller General of the State, the General Directorate of Pledge Credit, the Judiciary, the Public Prosecutor's Office and the Financial Analysis Unit, which work in combination for asset recovery. It is for this reason that commitment 37, which seeks to promote the adoption or strengthening of measures through the competent institutions, in order to allow preventive seizure, asset forfeiture and confiscation of assets resulting from corruption, is the one that was rated the lowest by all the organizations, with 0.28, since there is no progress in facilitating the seizure of assets.

Conclusions

The Lima Agreement was a key opportunity to endorse previous international commitments made by the Chilean Government, as well as to identify scenarios suitable for the discussion, development and implementation of anti-corruption measures in the country. In any case, Chile has made significant progress in the fight against corruption. Several of them were achieved prior to the Lima Agreement, but the following main achievement stand out:

- In terms of strengthening democratic governance, Chile has constitutional autonomy and judicial independence, a regulatory framework that seeks to promote merit and open processes in selection of public officials (EA, New Deal Law, ADP System), a broad regulation on administrative probity and prevention of conflict of interest, and an imminent regulation on protection and inclusion of vulnerable groups, Law 20.530 (2019).
- Regarding transparency, access to information, protection of whistleblowers and human rights, including freedom of expression, in Chile, the principles of probity and transparency are recognized in the Constitution, there is a strong regulatory framework on probity, with control bodies (Comptroller Office), a specific regulation on access to information (Law 20.285) with a guarantee body, and classification of corruption-related crimes (crimes committed by officials and corruption among private individuals, Code of Criminal Procedures).
- There is a lack of regulations to protect the rights of individuals in terms of anti-corruption complaints, as well as official policies and channels for complaints, in addition to the strengthening of government and digital participation to facilitate the fight against corruption.

- In terms of financing of political organizations and electoral campaigns, the recent progress in strengthening the rules that regulate the operation, financing and role of the parties and electoral campaigns is noteworthy. As of 2013, through Law 19.884, campaign contributions are publicly disclosed and the electoral spending is controlled, and the supervisory role of the Electoral Service has been strengthened, establishing limits on campaigns, disclosure of funds, and public contributions to political parties, through Laws 20.900 and 20.915.
- In terms of public procurement and contracting, procurement processes are considered to have a good framework in relation to the region, but lagging behind the current needs of the country, since the existing instruments focus on tools to prevent the misuse of public resources, but there are no tools for timely prevention and analysis, nor are there any clauses that focus on anti-corruption.
- International legal cooperation in anti-corruption matters in Chile has developed nowadays on the basis of UNCAC's interpretation. However, there is no legal framework to facilitate it.
- There are no effective mechanisms to recover assets from acts of corruption.

Calls to Action

- There is a need to place more emphasis on developing anti-corruption regulations that include active participation of groups such as women and vulnerable groups, in addition to strengthening public employment in terms of equitable access and regulation with a general code of conduct for all civil servants.
- Strengthen the intelligence of data analysis with tools to verify the origin of resources and prevent illicit trafficking of money.
- Simplification of procedures should be promoted by reducing waiting times and steps to complete the process, in addition to strengthening preventive anti-corruption mechanisms across the board for all government agencies, such as: anti-corruption clauses in State contracts.
- Delimit the definition of assets resulting from corruption subject to preventive seizure, asset forfeiture and/or confiscation and an institution in charge of and responsible for monitoring thereof.

References

- Agenda de Modernización del Estado (2019) Disponible en: https://cdn.digital.gob.cl/filer_public/d3/e3/d3e3bb10-4ad2-4df8-adfa-b4ff69a658b6/agenda-de-modernizacion-del-estado.pdf
- Base de Jurisprudencia (2021). Contraloría General de la República. Disponible en: <https://www.contraloria.cl/web/cgr/buscar-jurisprudencia>
- Chile Compras (2021). Compra ágil. Disponible en: <https://www.chilecompra.cl/compraagil/>
- Ciper Chile (2019) “La debilidad del Sistema de Justicia ante delitos de corrupción: causas y vías de salida” Disponible en: <https://www.ciperchile.cl/2020/03/10/la-debilidad-del-sistema-de-justicia-ante-delitos-de-corrupcion-causas-y-vias-de-salida/>
- Código Penal, (1984) Disponible en: <http://web.uchile.cl/archivos/derecho/CEDI/Normativa/C%F3digo%20Penal.pdf>
- Comisión Interamericana de Derechos Humanos “Corrupción y derechos humanos”, Capítulo 5 (2019) Disponible en: <http://www.oas.org/es/cidh/informes/pdfs/CorrupcionDDHHES.pdf>
- Consejo para la Transparencia (2019) Estudio Nacional de Transparencia. Disponible en: <https://www.consejotransparencia.cl/wp-content/uploads/estudios/2020/02/Informe-final-ENT-2019.pdf>
- Consejo para la Transparencia (2021) Quienes somos. Disponible en: <https://www.consejotransparencia.cl/quienes-somos/>
- Consejo Transparencia (2016) “La Evaluación de las Políticas Públicas, un elemento fundamental para la Transparencia y la Rendición de Cuentas”, Disponible en: https://www.consejotransparencia.cl/wp-content/uploads/estudios/2018/01/la_evaluacion_de_las_politicas_2.pdf
- Consulta Ciudadana “Termómetro de la corrupción: ¿cómo es percibida por los chilenos?”, Pauta Nacional (2020) Disponible en: <https://www.pauta.cl/nacional/termometro-de-la-corrupcion-como-es-percibida-por-los-chilenos>
- Contraloría General de la República (2020) “Radiografía de la corrupción: ideas para fortalecer la probidad en Chile” Disponible en: <https://www.contraloria.cl/porta/web/documents/451102/3865431/RADIOGRAFIA+FIN AL+2D.pdf/dc8f8998-7010-a4c0-2f84-a07d9be9961c>
- Cuarto plan de Acción de Gobierno Abierto de Chile (2018). Compromiso N°11: Construir colaborativamente una propuesta de política sobre creación de un registro de beneficiarios finales de las empresas. Disponible en: <https://www.ogp.gob.cl/compromisos/c11-construir-colaborativamente-una-propuesta-de-politica/>
- Decreto 100 que Fija el texto refundido, coordinado y sistematizado de la Constitución Política de la Republica de Chile. Ministerio Secretaría General de la Presidencia. Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=242302>
- Decreto 250 “Aprueba reglamento de la ley 19.886 de las bases sobre contratos administrativos de suministro y prestación de servicios” (2004) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=230608>

- Decreto 821 "Modifica decreto supremo 250 de 2004, del Ministerio de Hacienda, que aprueba reglamento de la ley 19.886, de bases sobre contratos administrativos de suministro y prestación de servicios" artículo único (2020) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1141363&idParte=10093986>
- Decreto con Fuerza de Ley n° 1-19653 "Fija texto refundido, coordinado y sistematizado de la ley N° 18.575 orgánica Constitucional de Bases Generales de la Administración del Estado" (2000) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=191865>
- Decreto con Fuerza de Ley n°1.879 que "promulga la convención interamericana contra la corrupción" (1996) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=131065>
- Decreto con Fuerza de Ley n°1-19653 que "Fija el texto refundido, coordinado y sistematizado de la ley N° 18.575, orgánica constitucional de "Bases generales de la administración del Estado" (2000) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=191865>
- Decreto con Fuerza de Ley n°13 del reglamento de la ley 20.285 "Sobre acceso a la información pública", (2009) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1001095>
- Decreto con fuerza de ley n°2421 "Fija el texto refundido de la ley de organización y atribuciones de la Contraloría General de la República" (1964) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=18995>
- Decreto con Fuerza de Ley n°29 que "Fija texto refundido, coordinado y sistematizado de la ley N° 18.834 "Sobre el estatuto administrativo" (2004) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=236392>
- Decreto con Fuerza de Ley n°3 "Fija el texto refundido, coordinado y sistematizado de la ley 19.884, orgánica constitucional sobre transparencia, límite y control del gasto electoral", (2017) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1107658>
- Decreto con Fuerza de Ley n°375 "Promulga la Convención de las Naciones Unidas contra la Corrupción" (2006) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=257958>
- Decreto con Fuerza de Ley n°69 "Reglamento sobre concursos del Estatuto Administrativo" (2004) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=229098>
- Dirección de Presupuestos (2020) "Anuario estadístico del empleo público en el Gobierno Central 2011-2019". Disponible en: https://www.dipres.gob.cl/598/articulos-205486_doc_pdf.pdf
- Dirección de Presupuestos (DIPRES) (2016) "Principales tendencias del empleo en el Gobierno Central". Disponible en: https://www.dipres.gob.cl/598/articulos-171105_doc_pdf.pdf
- Empleos Públicos. *Servicio Civil*. Disponible en: <https://www.empleospublicos.cl/>
- Espacio Público (2019) "El sistema de justicia penal y su lucha contra la corrupción", Disponible en: <https://www.espaciopublico.cl/wp-content/uploads/2020/03/Informe-El-sistema-de-justicia-penal-y-su-lucha-contr-la-corrupci%C3%B3n.pdf>
- Espacio Público (2019) "Evaluación de Impacto de las Nuevas Declaraciones de Intereses y Patrimonio en Chile", Disponible en: <http://redanticorrupcion.com/wp-content/uploads/2019/07/Informe-DIP.pdf>



- Estudio “El fin del trámite eterno: : ciudadanos, burocracia y gobierno digital” (2018)
Disponible en: <https://publications.iadb.org/publications/spanish/document/El-fin-del-tr%C3%A1mite-eterno-Ciudadanos-burocracia-y-gobierno-digital.pdf>
- EuroSocial (2019) “Mujer y corrupción: estrategias para abordar los impactos diferenciados de la corrupción en América Latina”, Disponible en: <https://eurosocial.eu/wp-content/uploads/2019/04/OK-5-Mujer-y-corrupcion-EUROSOCIAL.pdf>
- Evaluación de la Transparencia: Estado del arte de indicadores (2018) Capítulo VIII, Disponible en: https://www.consejotransparencia.cl/wp-content/uploads/estudios/2018/01/estado_del_arte_web.pdf
- Ex capitán Rafael Harvey: «Hay mucho pinochetismo en las Fuerzas Armadas, sobre todo en el Ejército» (16 de agosto de 2020) *El Desconcierto*. Recuperado de: <https://www.eldesconcierto.cl/nacional/2020/08/16/ex-capitan-rafael-harvey-hay-mucho-pinochetismo-en-las-fuerzas-armadas-sobre-todo-en-el-ejercito.html>
- Fiscalía de Chile (2021). Unidad Especializada Anticorrupción. Disponible en: <http://www.fiscaliadechile.cl/Fiscalia/areas/cor-unidad.jsp>
- Ideas para el futuro (2019) “Modernización y Transformación Digital del Estado: Desafíos, Oportunidades y Propuestas a la luz de la Crisis Sanitaria y el Estallido Social en Chile”, Disponible en: <https://ideasparaelfuturo.caf.com/media/2039/modernizaci%C3%B3n-y-transformaci%C3%B3n-digital-del-estado-desaf%C3%ADos-oportunidades-y-propuestas-a-la-luz-de-la-crisis-sanitaria-y-el-estallido-social-en-chile.pdf>
- Informe “Corrupción entre particulares: lesividad de la conducta y consecuencias en sede de tipificación de acuerdo al análisis comparado”, Revista de Derecho (2019) Disponible en: https://scielo.conicyt.cl/scielo.php?script=sci_arttext&pid=S0718-97532019000100206
- Ley 19.653 "Sobre probidad administrativa aplicable de los órganos de la administración del Estado" (1999) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=149264>
- Ley 19.886 "Sobre contratos administrativos de suministros y prestación de servicios" (2003) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=213004>
- Ley 20.405 "Del Instituto Nacional de Derechos Humanos" artículo 1 (2009) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1008867>
- Ley 20.500 "sobre asociaciones y participación ciudadana en la gestión pública", (2011) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1023143>
- Ley 20.530 "Crea el Ministerio de Desarrollo Social y Familia y modifica cuerpos legales que indica", (2019) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1030861>
- Ley 20.820 "Crea el Ministerio de la Mujer y Equidad de Género, y modifica normas legales que indica", (2015) Disponible en: <https://www.bcn.cl/leychile/navegar?idLey=20820&tipoVersion=0>
- Ley 20.880 "Sobre Probidad en la función pública y prevención de los conflictos de intereses", artículo 5 (2016) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1086062>
- Ley 20.900 "Para el fortalecimiento y transparencia de la democracia" artículos 34 (2016) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1089342>
- Ley 21.150 "Modifica la ley 20.530 y crea el Ministerio de Desarrollo Social y Familia y modifica cuerpos legales que indica", artículo 2 inciso 3 (2019) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1030861>

- Ley 21.880 de "Transformación digital del estado" (2019) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1138479>
- Ley N° 20.393 que Establece la Responsabilidad Penal de la Persona Jurídica (2009) Disponible en : <https://www.bcn.cl/leychile/navegar?idNorma=1008668>
- Ley N° 21.121 Modifica el Código Penal y otras Normas Legales para la Prevención, Detección y Persecución de la Corrupción (2018). Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1125600>
- Ley n°19.882 "Regula la nueva política del personal a los funcionarios públicos que indica" Título VI, artículo 40 (2003) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=211480>
- Ley N°20.955, Perfecciona el Sistema de Alta Dirección Pública y Fortalece la Dirección Nacional del Servicio Civil. 2016. Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=1095821>
- Ley N° 20.205 "protege al funcionario que denuncia irregularidades y faltas al principio de probidad" (2007) Disponible en: <https://www.bcn.cl/leychile/navegar?idNorma=262932>
- Mercado Público (2021). Disponible en: <https://www.mercadopublico.cl/Home>
- Noticia: "Alcances de la Ley que otorga tutela laboral a los funcionarios públicos" Diario Constitucional (2020) Disponible en: <https://www.diarioconstitucional.cl/2020/11/26/alcances-de-la-ley-que-otorga-tutela-laboral-a-los-funcionarios-publicos/>
- Noticia: "Autonomía, independencia y Estado" Universidad Adolfo Ibañez (2019) Disponible en: <https://noticias.uai.cl/columna/autonomia-independencia-y-estado/>
- Noticia: "Chile – Denunciante anónimo para delitos de corrupción" Diario Jurídico (2021) Disponible en: <https://www.diariojuridico.com/chile-denunciante-anonimo-para-delitos-de-corrupcion-2/>
- Noticia: "Conozca detalles del proyecto de ley transparencia 2.0", Senado (2020) Disponible en: <https://www.senado.cl/conozca-detalles-del-proyecto-de-ley-transparencia-2-0/senado/2020-07-03/164942.html>
- Noticia: "Contraloría denuncia conflicto de intereses de funcionarios en reparto de agua", La Discusión (2021) Disponible en: <http://www.ladiscusion.cl/contraloria-denuncia-conflicto-de-intereses-de-funcionarios-en-reparto-de-agua/>
- Noticia: "Contraloría habilitará plataforma "del denunciante anónimo" para combatir actos de corrupción en el Estado", Fortín Mapocho (2020) Disponible en: <https://www.fortinmapocho.cl/2020/06/17/contraloria-habilitara-plataforma-del-denunciante-anonimo-para-combatir-actos-de-corrupcion-en-el-estado/>
- Noticia: "Cuenta Pública ChileCompra: Mayor participación de Mipyme y nuevas modalidades para compras eficientes", ChileCompra (2020) Disponible en: <https://www.chilecompra.cl/2020/05/cuenta-publica-chilecompra-mayor-participacion-de-mipyme-y-nuevas-modalidades-para-compras-eficientes/>
- Noticia: "El gobierno digital hace que la relación con los ciudadanos sea transparente", NexNews El Mercurio (2020) Disponible en: <http://portal.nexnews.cl/showN?valor=de7sf>

Noticia: "Hablemos de autonomía en la Constitución", La Tercera (2020) Disponible en: <https://www.latercera.com/reconstitucion/noticia/hablemos-de-autonomia-en-la-constitucion-de-gregorio-pena-mendoza-y-chahuan-abordan-la-independencia-de-los-organos-que-presidieron/L2C62C45XBEYRLZYMUNUT444FE/>

Noticia: "PNUD, SUBDERE, CGR Y Servicio Civil firman convenio para la construcción de códigos de ética en todos los municipios del país", Radio Polar (2021) Disponible en: http://radiopolar.com/noticia_162808.html

Noticia: "Ya se encuentra habilitado Convenio Marco", ChileCompra (2021) Disponible en: <https://www.chilecompra.cl/2021/02/atencion-ya-se-encuentra-disponible-convenio-marco-para-la-adquisicion-de-computadores/>

Noticia: Encuesta "45% de las empresas no provee capacitación sobre ética y fraude a sus empleados", La Tercera (2020) Disponible en: <https://www.latercera.com/pulso/noticia/encuesta-45-de-las-empresas-no-provee-capacitacion-sobre-etica-y-fraude-a-sus-empleados/PV6HSBXPI5HD703HQP6SQ4KCKM/>

Noticias: "CGR determinó que los fundamentos que se deban expresar para no realizar un proceso de selección y efectuar la contratación directa de personal, dependerán de las condiciones de cada caso", Diario Constitucional (2021) Disponible en: <https://www.diarioconstitucional.cl/2021/01/18/cgr-determino-que-los-fundamentos-que-se-deban-expresar-para-no-realizar-un-proceso-de-seleccion-y-efectuar-la-contratacion-directa-de-personal-dependeran-de-las-condiciones-de-cada-caso/>

Noticias: "ChileCompra gana premio internacional por su impacto en la Contratación Pública Abierta a nivel mundial", Dirección ChileCompra (2020) Disponible en: <https://www.chilecompra.cl/2020/12/chilecompra-gana-premio-internacional-por-su-impacto-en-la-contratacion-publica-abierta-a-nivel-mundial/>

Open Gov Partnership (2018) "Plan Estratégico para el Fortalecimiento de la Integridad Pública" Disponible en: <https://www.opengovpartnership.org/es/members/chile/commitments/CL0056/>

Policía de Investigaciones de Chile (2020). Una mirada al lavado de activos en Chile. Disponible en: <https://www.pdichile.cl/centro-de-prensa/detalle-prensa/2021/03/31/una-mirada-al-lavado-de-activos-en-chile>

Programa de Naciones Unidas para el Desarrollo (PNUD) (2020) "Nuevo Mapa del poder y Género en Chile (1995-2018)", Disponible en: <https://www.docdroid.net/tDdN7YA/mapa-del-poder-pdf-pdf>

Proyecto de ley "Modifica el Reglamento de la Cámara de Diputados para crear la Comisión de la Mujer y Equidad de Género", Boletín N° 11721-07 (2018) Disponible en: http://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin_ini=11721-07

Proyecto de ley "Modifica la ley N°20.609, que Establece medidas contra la discriminación, para reforzar la protección de grupos vulnerables, hacer prevalecer el derecho a la igualdad y no discriminación, y otras materias que detalla", Boletín N°13867-17 (2020) Disponible en: http://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin_ini=13867-17

Proyecto de ley “Establece un nuevo estatuto de protección en favor del denunciante de actos contra la probidad administrativa” Boletín N°13565-07 (2020) Disponible en: <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmiD=14105&prmiBOLETIN=13565-07>

Proyecto de Ley 20.285 "Modifica la ley N°20.285, Sobre Acceso a la Información Pública" (Boletín 12100-07) (2018) Disponible en: https://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin_ini=12100-07

Proyecto que Modifica la ley N° 19.886, de Bases sobre Contratos Administrativos de Suministro y Prestación de Servicios, para fomentar las compras públicas sustentables. Disponible en: <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmiD=12699&prmiBOLETIN=12178-12>

Rafael Harvey, ex militar denunciante de corrupción: “La señal es que vamos a perseguir al que denuncia” (28 de mayo de 2020) *Radio USACH*. Recuperado de: <https://www.radiousach.cl/rafael-harvey-militar-que-denuncio-corrupcion-en-el-ejercito>
Servicio Civil (2013) “Reclutamiento y Selección en Servicios Públicos”, Disponible en: <https://documentos.serviciocivil.cl/actas/dnsc/documentService/downloadWs?uuid=4aee37e5-10c9-44a1-a263-384c4f3c526a>

Servicio Civil (2018) “Chile en la Implementación Transversal de Códigos de Ética Pública: “La Ejecución de la Herramienta y el Comienzo del Sistema de integridad”. Disponible en: <https://www.serviciocivil.cl/wp-content/uploads/2018/05/Experiencia-c%C3%B3digos-de-%C3%A9tica-chile.pdf>

Servicio Civil. Sistemas de Integridad y Código de Ética: Códigos de Ética de las Instituciones del Sistema Central del Estado. Disponible en: <https://www.serviciocivil.cl/sistemas-de-integridad-y-codigo-de-etica/>

Servicio Electoral (2017) “Manual de consulta de financiamiento y Gastos electoral”, Disponible en: https://www.servel.cl/wp-content/uploads/2017/09/Manual_de_Gasto_Electoral_Elecciones_2017-2.pdf



Annexes

Annex 1: Rating of the Lima Agreement in Chile

Reinforcement of Democratic Governance

Table 1. Follow-up criteria for commitments related to Reinforcement of Democratic Governance

Commitment	Relevance	Effectiveness	Sustainability	Country Average
2. Strengthening judicial autonomy and independence following applicable inter-American and universal standards on this matter to promote respect for the Rule of Law and access to justice, as well as to promote and encourage policies of integrity and transparency in the judicial system.	1.43	1.14	1.29	1.29
7. Promoting gender equity and equality and women's empowerment as a cross-cutting goal of our anti-corruption policies, through a task force on women's leadership and empowerment that will actively promote cooperation among inter-American institutions and synergies with other international agencies.	0.0	0.0	0.0	0.0
8. Including different vulnerable groups in defining measures to strengthen governance and combat corruption, recognizing their serious impact on these populations.	0.43	0.57	0.43	0.48
9. Ensuring transparency and equal opportunities in the selection processes of public officials, based on objective criteria, such as merit, equity, and aptitude.	1.29	1.29	1.29	1.29
10. Promoting the adoption of measures to prevent conflicts of interest, as well as the submission of declarations of assets and financial information by public officials, as appropriate.	1.71	1.71	1.86	1.76
11. Furthering codes of conduct for public officials that contain high standards of ethics, probity, integrity and transparency, using as a point of reference the "Guidelines for the Management of Policies for Probity in the Public Administrations of the Americas" and urging the private sector to develop similar codes of conduct.	1.29	0.86	1.57	1.24

Transparency, Access to Information, Protection of Whistleblowers, and Human Rights, including Freedom of Expression

Table 2. Follow-up criteria for commitments related to Transparency, Access to Information, Protection of Whistleblowers, and Human Rights, including Freedom of Expression

Commitment	Relevance	Effectiveness	Sustainability	Country Average
13. Continuing to strengthen national anti-corruption measures or systems and enhancing conditions for the effective participation of civil society, social organizations, academia, the private sector, citizens, and other social actors in monitoring government performance, including the development of prevention mechanisms, channels for reporting possible acts of corruption and facilitating the work of watchdogs, including other citizen oversight mechanisms, and incentivizing the adoption of digital means of participation.	1.43	1.00	1.14	1.19
14. Promoting and/or strengthening the implementation of national and subnational policies and plans of open government, digital government, open data, fiscal transparency, open budgeting, digital procurement systems, public contracting and a public registry of state suppliers, considering towards that end the participation of civil society and other social actors.	1.86	1.57	1.43	1.62
15. Consolidating the autonomy and independence of high-level oversight bodies.	0.71	0.43	0.71	0.62
16. Implementing and/or strengthening of bodies responsible for transparency and access to public information, based on applicable international best practices.	1.57	1.43	1.86	1.62
18. Developing statistics and indicators in our countries for assessing the impact of transparency and anti-corruption policies and advancing government capacity in this field.	1.00	0.71	0.71	0.81
21. Promoting the adoption and/or strengthening of legislative measures to criminalize acts of corruption and related offenses consistent with the United Nations Convention against Corruption (UNCAC), the United Nations Convention against Transnational Organized Crime, and the Inter-American Convention against Corruption (IACAC).	0.86	1.00	1.43	1.10
22. Protecting whistleblowers, witnesses, and informants of acts of corruption from intimidation and retaliatory actions.	0.71	0.43	0.57	0.57

Financing of Political Organizations and Election Campaigns

Table 3. Follow-up Criteria for commitments related to Financing of Political Organizations and Election Campaigns

Commitment	Relevance	Effectiveness	Sustainability	Country Average
25. Encouraging adoption and/or strengthening of measures to promote transparency, accountability, appropriate accounting, and use of the banking system for income and expenditures of political organizations and parties, especially those related to their election campaigns, in order to guarantee the licit origin of the contributions and penalizing anyone involved in accepting illicit contributions.	1.57	1.86	1.71	1.71

Prevention of Corruption in Public Works and Public Procurement and Contracting

Table 4. Follow-up criteria for commitments related to Prevention of Corruption in Public Works and Public Procurement and Contracting

Commitment	Relevance	Effectiveness	Sustainability	Country Average
27. Promoting the use of digital systems for government procurement and contracting of services and public works, to ensure disclosure, transparency, citizen oversight, and effective accountability.	2.43	2.00	2.43	2.29
29. Promoting the inclusion of anti-corruption clauses in all state and public-private-partnership contracts and establishing registers of natural and legal persons involved in acts of corruption and money laundering with a view to ensuring that they are not contracted.	0.14	0.14	0.14	0.14
33. Implementing measures to reduce bureaucracy and simplify administrative processes at all levels of government in order to prevent corruption.	2.29	2.29	2.43	2.33

International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery.

Table 5. Follow-up criteria for commitments related to International Legal Cooperation; the Fight Against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery

Commitment	Relevance	Effectiveness	Sustainability	Country Average
37. Promoting the broadest possible cooperation among judicial, police, and prosecutorial authorities, financial intelligence units, and administrative authorities in investigations and procedures related to offenses of corruption, money laundering, and transnational bribery and corruption.	0.71	0.57	0.86	0.71
41. Furthering the adoption or strengthening of measures through relevant institutions to enable the freezing, seizure, and confiscation of proceeds of corruption.	0.43	0.43	0.29	0.38